

ELLEN F. ROSENBLUM
Attorney General
JAMES S. SMITH #840932
Senior Assistant Attorney General
Department of Justice
100 SW Market Street
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: James.S.Smith@doj.state.or.us

Attorneys for Defendants State of Oregon, Oregon State Police and Governor Kate Brown

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

D. JEANETTE FINICUM; THARA TENNEY; TIERRA COLLIER; ROBERT FINICUM; TAWNY CRANE; ARIANNA BROWN; BRITTNEY BECK; MITCH FINICUM; THOMAS KINNE; CHALLICE FINCH; JAMES FINICUM; DANIELLE FINICUM; TEAN FINICUM; and the ESTATE OF ROBERT LAVOY FINICUM,

Plaintiffs,

v.

UNITED STATES OF AMERICA;
FEDERAL BUREAU OF INVESTIGATION;
BUREAU OF LAND MANAGEMENT;
DANIEL P. LOVE; SALVATORE LAURO;
GREG T. BRETZING; W. JOSEPH

Case No. 2:18-cv-00160-MO

STATE DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO EXTEND TIME TO FILE AMENDED COMPLAINT [PURSUANT TO DOC. NO. 180]

ASTARITA; SPECIAL AGENT BM;
MICHAEL FERRARI; STATE OF OREGON;
OREGON STATE POLICE; TRAVIS
HAMPTON; TROOPER 1 TROOPER 2;
KATHERINE BROWN; HARNEY
COUNTY; DAVID M. WARD; STEVEN E.
GRASTY; and the CENTER FOR
BIOLOGICAL DIVERSITY,

Defendants.

On September 1, 2021, counsel for the remaining defendants received an email from plaintiffs' counsel requesting that defendants agree to plaintiffs' **eleventh** request for additional time. Counsel provided no reason the delay was needed and specified that plaintiffs wanted a 45-day extension. The state defendants' counsel and the county's counsel both refused to agree. On September 9, 2021, plaintiffs' counsel filed a contested motion for a 30-day extension, which, for the first time, explained the reasons plaintiffs wanted an extension of time.

Under the circumstances stated in the motion, the state defendants agree that an extension of time no longer than thirty days is appropriate.

DATED September 14, 2021.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ James S. Smith

JAMES S. SMITH #840932
Senior Assistant Attorney General
Trial Attorney
Tel (971) 673-1880
Fax (971) 673-5000
James.S.Smith@doj.state.or.us
Of Attorneys for Defendants State of Oregon,
Oregon State Police and Governor Kate Brown